

✓

(To be Submitted to OEA When:

- Note: Form will be returned if this section is incomplete:**

Date: 7.10.09

Date: 7-10-09

1. Court Docket/Regional Hearing Clerk Docket No. CERCLA

3. Settlement Action Type:

- ☐ (a) Consent Decree or Court Order Resolving a Civil Judicial Action
- ☐ (b) Administrative Penalty Order (with/without Injunctive Relief)
- ☐ (c) Superfund Administrative Cost Recovery Agreement
- ☐ (d) Federal Facility Compliance Agreement (NOT including RCRA Matters)
- ☐ (e) Field Citations
- ☒ (f) Administrative Compliance Orders
- ☐ (g) Notice of Determination (Self-Disclosure Cases)

4(b) EPA Program Contact Gary Andrew Phone No. 404-562-8717

5. Was An Environmental Management System Requested?        Yes       X       No

6. Action Dates (Complete **EITHER** Administrative or Judicial):

Issued/Filed

### Final Order

### Settlement Lodged

Settlement Entered

**Estimated Termination Date:** 7/8/11

8. Statute(s) and Section(s) **Violated** (NOT Authorizing Section Nor CFR):

**Authorizing Section for Administrative Actions:** CERCLA / 104, 106(a) 107, 122

9. Facility Name VCC Atlanta State GA

How Many Facilities Are Associated With This Action? 1

### ALTERNATIVE DISPUTE RESOLUTION

15. Was Alternative Dispute Resolution (ADR) Used in This Case?

☐ Yes ☒ No (Skip to Next Page.)

# of Parties in Your Case? \_\_\_\_\_ # Of Parties Taking Part in Mediation? \_\_\_\_\_

Which ADR Process or Processes Were Used? (Can Check More Than One)

- ☐ Facilitation
- ☐ Facilitated Negotiation
- ☐ Mediation for One Part of Case
- ☐ Mediation for Entire Case
- ☐ For Cost/Allocation/Penalties
- ☐ For Injunctive Relief
- ☐ Other

Who was Your Mediator? \_\_\_\_\_

How Did You Obtain Your Mediator? \_\_\_\_\_

Was This Mediator Effective?

☐ Yes. How So? \_\_\_\_\_

☐ No. Why Not? \_\_\_\_\_

Was ADR Useful in Fostering Clearer and More Effective Communication Between The Parties? ☐ Yes ☐ No

Did ADR Help Resolve the Conflict it was Selected For? ☐ Yes ☐ No

If Not, Why Not? \_\_\_\_\_

Did ADR Help Resolve Conflicts That Were Apart From the Conflict it was Selected For?

☐ Yes. Why? \_\_\_\_\_

☐ No

Were you Satisfied with the ADR Process You Went Through in Your Case?

☐ Yes Why? \_\_\_\_\_

☐ No Why Not? \_\_\_\_\_

Would You Consider Using ADR Again? ☐ Yes ☐ No

If Yes, What Would You Anticipate Using it For? \_\_\_\_\_

If No, Why Not? \_\_\_\_\_

How Could the Usefulness of ADR Have Been Improved in Your Case? \_\_\_\_\_

How Could EPA's Use of ADR be Improved in General? \_\_\_\_\_

How Could EPA Better Assist You in Obtaining and Effectively Using ADR Services? \_\_\_\_\_

\_\_\_\_\_

**B. Penalty Information** (If there is no penalty, enter 0 and proceed to Page 6.)

11. For Multi-Media Actions, Federal Amounts by Statute:

Statute	Amount
_____	\$ 0 _____
_____	\$ _____
_____	\$ _____

12(a). Total Assessed Penalty \$ \_\_\_\_\_

12(b). (If Shared) Federal Share \$ \_\_\_\_\_

13. (If Shared) State or Local Share \$ \_\_\_\_\_

**C. Cost Recovery**

14. Amount of Cost Recovery Awarded:

\$ \_\_\_\_\_ EPA Share

\$ \_\_\_\_\_ State and/or Local Government Share

\$ \_\_\_\_\_ Other

## CERCLA

For instructions and methodologies for calculating information for Direct Environmental Benefits and Preventative Actions, refer to **Chapter 7** of the Case Conclusion Data Sheet Guidance, Dated August 2004.

### Actions With **DIRECT** Environmental Benefits and/or **DIRECT** Response/Corrective Action:

- ☒ In Situ and Ex Situ Treatment
- ☒ Removal of Contaminated Medium
- ☒ Containment

2.	_____	_____	<u>Cubic Yards</u>	<input type="checkbox"/> Soil <input type="checkbox"/> Groundwater*
3.	_____	_____	<u>Cubic Yards</u>	<input type="checkbox"/> Soil <input type="checkbox"/> Groundwater*
4.	_____	_____	<u>Cubic Yards</u>	<input type="checkbox"/> Soil <input type="checkbox"/> Groundwater*

(\*For instructions on how to convert gallons of groundwater to cubic yards of groundwater, refer to Chapter 7 of the Case Conclusion Data Sheet guidance booklet.)

If additional pollutants (and corresponding information) should be listed, attach info to end of this form.

# ALL STATUTES

## FACILITY/SITE MANAGEMENT AND INFORMATION PRACTICES (FMIP)

(Actions That Do Not Result in Pollutant Reductions/Eliminations)

Cost: \$ 500,000 (REQUIRED! Form will be returned if this field is blank!)

- ☐ Testing/Sampling
- ☐ Auditing
- ☐ Labeling/Manifesting (Non-RCRA)
- ☐ Recordkeeping
- ☐ Reporting
- ☐ Information Letter Response
- ☐ Financial Responsibility Requirements
- ☐ Environmental Management Review
- ☐ RI/FS or RD (CERCLA)
- ☒ Site Assessment/Characterization (CERCLA)
- ☐ Provide Site Access (CERCLA)
- ☐ Monitoring
- ☐ UST Release Detection
- ☐ Stormwater Site Inspections
- ☐ Asbestos Inspections
- ☐ Training
- ☐ Planning
- ☐ Permit Application
- ☐ Work Practices
- ☐ Notification (TSCA Section 6)
- ☐ Leak Detection (CAA)
- ☐ Spill Notification

Has EPA Taken Previous Formal Enforcement Action Regarding These Violations? (Does Not Include NOVs)

☐ Yes ☒ No

If Yes, Docket Numbers of Previous Actions: \_\_\_\_\_

**Note: Question Numbers Correspond with the Case Conclusion Data Sheet Guidance Booklet, Dated August 2004.**

**If You Have Any Questions, Please Contact Teresa Shirley-Wright at 2-9647 or Priscilla Johnson at 2-9614.**